



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/691,885

10/23/2003

Timothy P. McKee

MFCP.109834

8986

45809

7590

06/05/2009

SHOOK, HARDY & BACON L.L.P.
(c/o MICROSOFT CORPORATION)
INTELLECTUAL PROPERTY DEPARTMENT
2555 GRAND BOULEVARD
KANSAS CITY, MO 64108-2613

EXAMINER

PESIN, BORIS M

ART UNIT

PAPER NUMBER

2174

MAIL DATE

DELIVERY MODE

06/05/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/691,885	Applicant(s) MCKEE ET AL.	
	Examiner BORIS PESIN	Art Unit 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 March 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4,6-8,11-17,20-23,25-27,34-38 and 40-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4,6-8,11-17,20-23,25-27,34-38 and 40-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>3/17/2009, 3/16/2009</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

This communication is responsive to the amendment filed 3/17/2009.

Claims 1-4, 6-8, 11-17, 20-23, 25-27, 34-38, and 40-44 are pending in this application. Claims 1, 11, 20, 21, 29, 34, and 40 are independent claims. In the amendment filed 3/17/2009, Claims 1-4, 6-8, 11, 20-21, 34 and 40 were amended. This action is made **Final**.

Specification

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required:

The specification is silent with respect to "tangible computer-readable storage media." While the specification does recite different types of storage media, the Applicant has not defined tangible computer storage media in the specification.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1-4, 6-8, 11-17, 20-23, 25-27, 34-38, and 40-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hahn et al. (US 5751287) in view of Straub et al. (US 5905492) further in view of Gautestad (US 7039860)

In regards to claim 1, Hahn teaches one or more tangible computer-readable storage media having embodied thereon a computer program configured to, when executed by a processor, present stored data, the media comprising: a data store including a plurality of items (Figure 4), wherein at least a portion of said items include one or more field entries (Figure 4, Elements 460, 480 and 500).

Hahn does not specifically teach an explorer residing as one of said plurality of items in said data store and housing a first set of data defining a query that identifies one or more desired field entries, and wherein said explorer further houses a second set of data defining an explorer display schema having one or more visual elements selected for display with items having said one or more desired field entries, wherein said query is formatted to be executed by a database engine;

and a shell browser configured to access said explorer and to utilize said first set of data to select items having one or more desired field entries from said data store by

Art Unit: 2174

executing said query with said database engine and to utilize said second set of data to display said selected items according to said explorer display schema.

Straub teaches an explorer residing as one of said plurality of items in said data store and housing a second set of data defining an explorer display schema having one or more visual elements selected for display with items having said one or more desired field entries(See Column 13 Line 58 – Column 14, Line 61, “template can be associated with each of the folders or folder types”);

and a shell browser configured and to utilize said second set of data to display said selected items according to said explorer display schema (See Column 13 Line 58 – Column 14, Line 61, “display representing folder’s contents”) It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hahn with the teachings of Straub and include a method of changing a layout for a specific folder with the motivation to provide the user with a more appropriate view for each specific folder, instead of one view for all folders.

Gaustestad teaches a first set of data defining a query that identifies one or more desired field entries, and wherein said query is formatted to be executed by a database engine (See Figures 5 A and 5B and column 10, lines 18-44),

a shell browser configured to access said explorer and to utilize said first set of data to select items having one or more desired field entries from said data store (See Figures 5 A and 5B and column 10, lines 18-44). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hahn-Straub with the teachings of Gaustestad to include the ability to query certain types of files with the

Art Unit: 2174

motivation to provide the users with more relevant search results and make it easier for users to find desired files.

In regards to claim 2, Hahn teaches the media of claim 1, wherein said explorer display schema includes one or more decorative elements presented with said selected items (Figure 10, *the tab layout*).

In regards to claim 3, Hahn teaches the media of claim 1, wherein said explorer display schema includes one or more shell view schemas, wherein one of said shell view schemas is utilized to display a subset of said selected items (Figure 10, *the tab layout*).

In regards to claim 6, Hahn teaches the media of claim 1, wherein said explorer utilizes one or more item display schemas associated with a shell browser to provide one or more display elements included in the display of one or more selected items (Figure 10, Element 1080).

In regards to claim 7, Hahn teaches the media of claim 1, wherein said explorer display schema includes verbs related to said selected items (Figure 7A, Element 780).

In regards to claim 8, Hahn teaches a computer system of claim 7, wherein said verbs are associated with applications capable of performing said verbs with respect to one or more of said selected items (Figure 7A, Element 780).

In regards to claim 11, Hahn teaches a computer-implemented method for presenting one or more items in a data store to a user, the method comprising: selecting a desired field entry corresponding to a field entry associated with at least one item in

Art Unit: 2174

the data store, wherein at least a portion of the items in the data store include one or more field entries (Figure 10, Element 1110); and defining an explorer display schema (Figure 10, *the tab layout*).

Hahn does not specifically teach defining an explorer display schema that includes one or more visual elements selected for display with items having said desired field entry;

selecting a query for identifying items in the data store having said desired field entry, wherein said query is a database query indicating desired field entry;

storing an item in a data store as an explore, wherein said explorer houses a set of data defining said query and said explorer display schema;

receiving a user input indicating a user desire to view said explorer;

in response to said user input, accessing said explorer to enable executing of said query with respect to said data store to select one or more items including said desired field entry; and

utilizing said explorer to enable displaying of one or more of said selected items to the user according to said explorer display schema defined by said set of data.

Straub teaches defining an explorer display schema that includes one or more visual elements selected for display with items having said desired field entry (See Column 13 Line 58 – Column 14, Line 61, “template can be associated with each of the folders or folder types”);

storing an item in a data store as an explorer, wherein said explorer houses a set of data defining said query and said explorer display schema (See Column 13 Line

Art Unit: 2174

58 – Column 14, Line 61, “template can be associated with each of the folders or folder types”);

receiving a user input indicating a user desire to view said explorer (See Column 13 Line 58 – Column 14, Line 61); and

utilizing said explorer to enable displaying of one or more of said selected items to the user according to said explorer display schema defined by said set of data (See Column 13 Line 58 – Column 14, Line 61, “display representing folder’s contents”).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hahn with the teachings of Straub and include a method of changing a layout for a specific folder with the motivation to provide the user with a more appropriate view for each specific folder, instead of one view for all folders.

Gaustestad teaches selecting a query for identifying items in the data store having said desired field entry, wherein said query is a database query indicating desired filed entry (See Figures 5 A and 5B and column 10, lines 18-44); and

in response to user input, accessing said explorer to enable executing of said query with respect to said data store to select one or more items including said desired field entry (See Figures 5 A and 5B and column 10, lines 18-44). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hahn-Straub with the teachings of Gaustestad to include the ability to query certain types of files with the motivation to provide the users with more relevant search results and make it easier for users to find desired files.

In regards to claim 12, Hahn teaches a method of claim 11, wherein defining said explorer display schema includes defining one or more decorative elements to be included in a display according to said explorer display schema (Figure 10, *the tab layout*).

In regards to claim 13, Hahn teaches a method of claim 11, wherein defining said explorer display schema includes defining one or more shell view schemas, wherein one of said shell view schemas is utilized to display a subset of said selected items (Figure 10, *the tab layout*).

In regards to claim 14, Hahn teaches a method of claim 11, wherein displaying one or more of said items includes utilizing a shell display schema associated with a shell browser to display one or more selected items (Figure 10, Element 1080).

In regards to claim 15, Hahn teaches a method of claim 11, wherein displaying one of the said selected items includes utilizing an item display schema associated with a shell browser to provide one or more display attributes included in the display of one or more selected items (Figure 10, *the tab layout*).

In regards to claim 16, Hahn teaches a method of claim 11, wherein displaying said selected items includes displaying verbs which are related to said selected items (Figure 7A, Element 780).

In regards to claim 17, Hahn teaches a method of claim 16, wherein said verbs are associated with applications capable of performing said verbs with respect to one or more of said set of selected items (Figure 7A, Element 780).

Claims 20 and 21 are substantially similar to claim 1; therefore they are rejected under similar rationale.

In regards to claim 22, Hahn teaches an application of claim 21, wherein said explorer display schema includes one or more decorative elements to be included in a display according to said explorer display schema (Figure 10, *the tab layout*).

In regards to claim 23, Hahn teaches an application of claim 21, wherein said shell interaction module is configured to provide one or more shell view schemas, wherein one of said shell view schemas is utilized to display a subset of selected items (Figure 10, Element 1080).

In regards to claim 25, Hahn teaches an application of claim 21, wherein said shell interaction module is configured to utilize an item display schema associated with a shell browser to provide one or more display attributes included in the display of one or more selected items (Figure 10, *the tab layout*).

In regards to claim 26, Hahn teaches an application of claim 21, wherein said explorer display schema includes verbs which are related to said selected items (Figure 7A, Element 780).

In regards to claim 27, Hahn teaches an application of claim 26, wherein said verbs are associated with applications capable of performing said verbs with respect to one or more of said selected items (Figure 7A, Element 780).

In regards to claim 28, Hahn teaches an application of claim 21, wherein said explorer display schema includes one or more data queries which are associated with the selected items (Figure 20B).

Claim 34 is similar in scope to claim 11; therefore it is rejected under similar rationale.

In regards to claim 35, Hahn teaches method of claim 34, wherein said desired field entry is associated with an item property desired for each item displayed in said explorer (Figure 10).

In regards to claim 36, Hahn teaches a method of claim 34, wherein said explorer attributes include decorative elements, one or more verbs associated with said presented items, and/or one or more data queries associated with said presented items (Figure 20B).

In regards to claim 37, Hahn teaches a method of claim 34, wherein said explorer attributes include one or more shell view schemas, wherein one of said shell view schemas is utilized to display a subset of said presented items (Figure 10, Element 1080).

In regards to claim 38, Hahn teaches a method of claim 34, wherein said display schema includes one or more shell display schemas associated with a shell browser to display one or more presented items (Figure 10).

Claim 40 is similar in scope to claim 11; therefore it is rejected under similar rationale.

In regards to claim 41, Hahn teaches a method of claim 40, wherein said explorer attributes include decorative elements, one or more verbs associated with said

Art Unit: 2174

presented items, and/or one or more data queries associated with said presented items (Figure 20B).

In regards to claim 42, Hahn teaches a method of claim 40, wherein said explorer attributes include one or more shell view schemas, wherein one of said shell view schemas is utilized to display a subset of said presented items (Figure 10, Element 1080).

In regards to claim 43, Hahn teaches a method of claim 40, wherein interacting with said shell browser includes utilizing a shell display schema provided by said shell browser to display one or more presented item to the user (Figure 10, Elements 1110, and 1080).

In regards to claim 44, Hahn teaches a method of claim 40, wherein interacting with said shell browser includes utilizing one or more display attributes from an item display schema provided by said shell browser to display one or more presented item to the user (Figure 10, *the tab layout*).

Response to Arguments

Applicant's arguments with respect to claims 1-4, 6-8, 11-17, 20-23, 25-27, 34-38, and 40-44 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BORIS PESIN whose telephone number is (571)272-4070. The examiner can normally be reached on Monday-Friday except every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dennis Chow can be reached on (571)272-7767. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2174

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Boris Pesin/
Primary Examiner, Art Unit 2174